



PATENT
Docket No. 440882001201

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL654718312US

Date of Deposit: November 26, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231.

Tamara Alcaraz

TECH CENTER 1600/2900

DEC 04 2002

RECEIVED

25.0
Ver
1-9-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Vernon WONG and Frank KOCHINKE

Serial No.: 09/160,635

Filing Date: September 24, 1998

For: IMPROVED FORMULATION FOR
CONTROLLED RELEASE OF DRUGS
BY COMBINING HYDROPHILIC AND
HYDROPHOBIC AGENTS

Examiner: E. Webman

Group Art Unit: 1617

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated May 28, 2002 (Paper No. 20) for which a response is due on August 28, 2002. Submitted herewith is a Petition for a three (3) month extension of time to extend the period for response up to, and including, November 28, 2002. Accordingly, this response is timely filed. Claims 10, 13, 15-20, 22-25, 28, and 29 were pending in this application. Claims 19, 20, 22-25, 28, and 29 were allowed. Claims 10, 13, and 18 were rejected under 35 U.S.C. §102(e) and claims 15-17 were objected to as dependent upon a rejected base claim. In this Response, new claims 34-43 have been added. No claims have been

12/03/2002 DTESSEM1 00000050 031952 09160635

02 FC:2201 84.00 CH

pa-745030

amended or cancelled. Consequently, claims 10, 13, 15-20, 22-25, 28, 29, and 34-43 are under consideration. Reconsideration and allowance of the Application is hereby respectfully requested.